

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM HARRIS, JR.,
Plaintiff,

v.

DANTE JULIA, *et al.*,
Defendants.

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CIVIL ACTION NO. 18-CV-4502

OCT 25 2018

ORDER

AND NOW, this 24th day of October, 2018, upon consideration of *pro se* Plaintiff William Harris, Jr.'s Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1), Complaint (ECF No. 2), and Motion for Appointment of Attorney (ECF No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED without prejudice** for the reasons set forth in the Court's Memorandum.

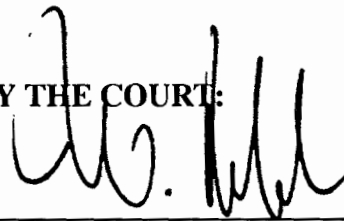
4. Harris is given leave to file an amended complaint within thirty (30) days of the date of this Order in the event he can cure the defects noted in the Court's Memorandum by stating plausible claims within the Court's jurisdiction. Any amended complaint shall be a complete document that identifies all the defendants in the caption and describes the basis for Harris's claims against each defendant. The amended complaint must include all the claims that Harris seeks to pursue without relying on or referring to his initial Complaint and the attached exhibits. Any amended complaint shall not rely exclusively on exhibits to state a claim. Upon the filing of an amended complaint, the Clerk of Court shall not make service until so **ORDERED** by the Court.

5. The Clerk of Court is **DIRECTED** to provide Harris a blank copy of this Court's current form complaint for a plaintiff filing an employment discrimination lawsuit bearing the civil action number for this case. Harris may use this form to file his amended complaint and, if he requires additional space, may attach additional pages to account for additional allegations.

6. Harris's Motion for Appointment of Attorney is **DENIED without prejudice** at this time. *See Tabron v. Grace*, 6 F.3d 147, 155 (3d Cir. 1993) (in determining whether appointment of counsel is appropriate, the Court should first determine whether plaintiff's lawsuit has a legal basis).

7. If Harris fails to file an amended complaint, his case may be dismissed for failure to prosecute without further notice.

BY THE COURT:

A handwritten signature in black ink, appearing to read "W. Beetlestone", written over a horizontal line.

WENDY BEETLESTONE, J.